

# House File 253 - Introduced

HOUSE FILE 253

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## A BILL FOR

1 An Act relating to the possession of unlawfully produced  
2 firearms, the reporting of lost or stolen firearms, and  
3 providing penalties.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION. 724.33 Producing or facilitating  
2 the production of a firearm and firearm components using a  
3 three-dimensional printer.

4     1. For purposes of this section:

5     a. "*Serial number*" means a unique sequence of numbers or  
6 letters affixed to a firearm, firearm receiver, magazine, or  
7 firearm component by a federally licensed firearms manufacturer  
8 or importer.

9     b. "*Three-dimensional printer*" means a computer or  
10 computer-driven machine or device capable of producing a  
11 three-dimensional object from a digital model.

12     c. "*Undetectable firearm*" means any of the following:

13     (1) A firearm that is not as detectable, by use of a  
14 walk-through metal detector or magnetometer commonly used at  
15 an airport, as three and seven-tenths ounces of precipitation  
16 hardening stainless steel designated as number 17400 under the  
17 unified numbering system for alloys.

18     (2) A firearm of which the barrel, slide or cylinder, or  
19 frame or receiver of the firearm would not generate an image  
20 that accurately depicts the shape of the part when examined by  
21 the type of x-ray machine commonly used at an airport.

22     d. "*Untraceable firearm*" means a firearm manufactured after  
23 July 1, 2019, that is not an antique firearm and that cannot be  
24 traced by law enforcement by means of a serial number affixed  
25 to the firearm by a federally licensed firearms manufacturer  
26 or importer.

27     2. A person who uses a three-dimensional printer or similar  
28 device to produce a firearm, firearm receiver, magazine, or  
29 firearm component or who imports, sells, ships, delivers,  
30 possesses, transfers, transports, purchases, or receives a  
31 firearm, firearm receiver, magazine, or firearm component  
32 produced by a three-dimensional printer is guilty of a class  
33 "D" felony if the firearm, firearm receiver, magazine, or  
34 firearm component does not have a serial number.

35     3. A person who distributes, sells, transfers, ships, or

1 delivers to another person, other than a federally licensed  
2 firearms manufacturer, digital instructions in the form of  
3 computer-aided design files or other code or instructions  
4 stored and displayed in an electronic format as a digital  
5 model that may be used to program a three-dimensional printer  
6 to produce a firearm, firearm receiver, magazine, or firearm  
7 component is guilty of a class "D" felony.

8 4. A person who does any of the following shall be guilty  
9 of a class "D" felony:

10 a. Manufactures, owns, buys, sells, loans, furnishes,  
11 transports, or possesses an undetectable firearm or any part  
12 designed and intended solely and exclusively for use in an  
13 undetectable firearm.

14 b. Assembles or repairs an undetectable firearm.

15 c. Manufactures an untraceable firearm with the intent to  
16 sell the untraceable firearm.

17 5. A person other than a federally licensed firearms  
18 manufacturer shall not manufacture or assemble a firearm with  
19 the use of a three-dimensional printer or unfinished materials.  
20 A lawfully manufactured firearm created in whole or in part  
21 with a three-dimensional printer or unfinished materials shall  
22 be detectable by standard screening systems. A person who  
23 violates this subsection is guilty of a class "D" felony.

24 6. Upon the transfer of an unfinished frame or receiver, the  
25 sheriff of the county of a transferee shall conduct a criminal  
26 history check concerning the transferee by obtaining criminal  
27 history data from the department of public safety that shall  
28 include an inquiry of the national instant criminal background  
29 check system maintained by the federal bureau of investigation  
30 or any successor agency.

31 Sec. 2. NEW SECTION. 724.34 Reporting loss or theft of a  
32 firearm or ammunition — criminal penalty — civil remedy.

33 1. A person shall report the loss or theft of any firearm  
34 or ammunition owned by the person to a local law enforcement  
35 agency within seventy-two hours after the person knew or should

1 have reasonably known of the loss or theft of the firearm or  
2 ammunition.

3 2. A local law enforcement agency shall report any loss  
4 or theft reported to the agency under subsection 1 to the  
5 department of public safety within twenty-four hours of the  
6 receipt of the report.

7 3. A person who violates subsection 1 commits a serious  
8 misdemeanor.

9 4. If a person fails to report the loss or theft of a  
10 firearm or ammunition owned by the person in violation of  
11 subsection 1, and such firearm or ammunition is subsequently  
12 used in the furtherance of a crime, the victim of the crime may  
13 bring a civil action for monetary damages against the person  
14 for failing to report the loss or theft of the firearm or  
15 ammunition.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with  
18 the explanation's substance by the members of the general assembly.

19 This bill relates to the possession of unlawfully produced  
20 firearms and reporting lost or stolen firearms.

21 The bill provides definitions for "serial number",  
22 "three-dimensional printer", "undetectable firearm", and  
23 "untraceable firearm". The bill prohibits a person from using  
24 a three-dimensional printer or similar device to produce a  
25 firearm, firearm receiver, magazine, or firearm component  
26 or importing, selling, shipping, delivering, possessing,  
27 transferring, transporting, purchasing, or receiving a firearm,  
28 firearm receiver, magazine, or firearm component produced by  
29 a three-dimensional printer if the firearm, firearm receiver,  
30 magazine, or firearm component does not have a serial number.  
31 The bill prohibits a person from distributing, selling,  
32 transferring, shipping, or delivering to another person, other  
33 than a federally licensed firearms manufacturer, digital  
34 instructions that may be used to program a three-dimensional  
35 printer to produce a firearm, firearm receiver, magazine,

1 or firearm component. The bill prohibits a person from  
2 manufacturing, owning, buying, selling, loaning, furnishing,  
3 transporting, or possessing an undetectable firearm or any  
4 part designed and intended solely and exclusively for use in  
5 an undetectable firearm. The bill prohibits a person from  
6 assembling or repairing an undetectable firearm. The bill  
7 prohibits a person from manufacturing an untraceable firearm  
8 with the intent to sell the untraceable firearm.

9 The bill provides that only a federally licensed firearms  
10 manufacturer is authorized to manufacture or assemble a firearm  
11 with the use of a three-dimensional printer or unfinished  
12 materials. The bill requires a lawfully manufactured firearm  
13 created in whole or in part with a three-dimensional printer  
14 or unfinished materials to be detectable by standard screening  
15 systems. Upon the transfer of an unfinished frame or receiver,  
16 the sheriff of the county of a transferee shall conduct a  
17 criminal history check concerning the transferee by obtaining  
18 criminal history data from the department of public safety  
19 that shall include an inquiry of the national instant criminal  
20 background check system maintained by the federal bureau of  
21 investigation or any successor agency. A person who violates  
22 a provision relating to unlawfully manufactured firearms,  
23 undetectable firearms, or untraceable firearms is guilty of  
24 a class "D" felony. A class "D" felony is punishable by  
25 confinement for no more than five years and a fine of at least  
26 \$1,025 but not more than \$10,245.

27 The bill requires a person to report the loss or theft of  
28 any firearm or ammunition owned by the person to a local law  
29 enforcement agency within 72 hours of when the person knew  
30 or should have reasonably known of the loss or theft of the  
31 firearm or ammunition. A person who violates this provision  
32 commits a serious misdemeanor. A serious misdemeanor is  
33 punishable by confinement for no more than one year and a fine  
34 of at least \$430 but not more than \$2,560.

35 The bill also requires a local law enforcement agency to

1 report to the department of public safety any loss or theft  
2 reported to the local law enforcement agency within 24 hours of  
3 receipt of the report.

4     If a person fails to report the loss or theft of a firearm  
5 or ammunition owned by the person in violation of the bill,  
6 and such firearm or ammunition is subsequently used in the  
7 furtherance of a crime, the victim of the crime may bring  
8 a civil action for monetary damages against the person  
9 for failing to report the loss or theft of the firearm or  
10 ammunition.